

REMARKS

Reconsideration of this Application is respectfully requested. Claims 39, 40, 42-44, 49-50, 52-54, and 61-78 are pending in the application with claims 42, 52, 63, 66, 67, 72 and 76 being independent claims. Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and they be withdrawn. Applicants appreciate the courtesies extended by the Examiner during the telephonic interview conducted on September 16, 2003.

I. Interview with Examiner Brier on September 16, 2003

During the interview, Applicants' representatives discussed the proposed amendments to claims 70, 73, 78, and 79. The Examiner agreed to remove the rejection of these claims under 35 U.S.C. § 112, first paragraph based on the amendments discussed. Applicants' representatives also discussed the rejection of claims 67-71 under 35 U.S.C. § 112, first paragraph. Applicants' representatives indicated that the specification would be amended to expressly recite disclosure from U.S. Patent No. 6,078,308 that was previously incorporated by reference. The Examiner agreed that this disclosure was properly incorporated by reference, and overcomes the rejection of claims 67-71 under 35 U.S.C. § 112, first paragraph.

Applicants' representatives also discussed the rejection of claims 72 and 74-77 under 35 U.S.C. § 103(a) over U.S. Patent No. 5,389,865 to Jacobus (hereafter "the *Jacobus* patent") in view of U.S. Patent No. 5,790,108 to Salcudean (hereafter "the *Salcudean* patent"). Applicants' representatives noted that neither the *Jacobus* patent or the *Salcudean* patent disclose or suggest "haptic feedback being a first haptic feedback when the button is in a first position and being a second haptic feedback when the button is in a second position," as recited in claim 76.

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II. The Claims are Patentable Under 35 U.S.C. 112

Claims 67-71, 73, 78, and 79 stand rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

A. Claims 67-69, and 71 are Enabled by the Specification as Filed

Claim 67 recites “the haptic feedback being representative of a resistive spring force opposing a movement of said cursor displayed on the graphical interface.”

The specification as filed states:

[W]hen the force mode is active (such as by pressing or holding button 15a), a spring force will be output on mouse 12 opposing the movement of the cursor thought the window border.

[I]f the cursor is moved against the border of an icon and the force functionality mode is active, a force will be output resisting motion of the cursor into the icon; when the mouse moves against the force to a threshold distance, the icon is selected as if the cursor had clicked or double-clicked on the icon.

Paragraph [0051]. Additionally, at paragraph [0051], U.S. Pat. No. 6,078,308 (U.S. Patent Application Serial No. 08/879,296) (hereafter “the ‘308 patent”) is incorporated by reference.

Applicants have amended the specification to recite disclosure from the ‘308 patent further supporting that “the haptic feedback [is] representative of a resistive spring force opposing a movement of said cursor displayed on the graphical interface.” U.S. Patent No. 6,078,308 states:

The click surfaces use force feedback to present the user with a resistant surface that must be moved or depressed to activate the function. For example, force is output in a direction opposite to the movement of the cursor 306 into the click surface to cause the feel of a spring or other resistive element.

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In the present invention, icon 340 can be implemented with one or more click surfaces 342. These operate similarly to the click surfaces 320, 322, and 336. For example, when the static selection surface type of click surface is provided, the click surface can be implemented as one of the displayed surfaces of the graphical object (or target) itself and no separate displayed surface or button shape need be displayed. The click surfaces 342 can be the displayed borders of the icon 342, as shown, or may be invisible surfaces displayed a short distance away from the borders of the icon.

Column 18, lines 22-27; column 19, lines 39-49. To maintain consistency between the disclosure and the Figures, new Figure 7 has been added to the present application. New Figure 7 is the same as Figure 4 of the '308 patent and is now expressly included in the present application. Thus, no new matter has been added by the addition of this figure.

Applicants respectfully submit that claim 67 satisfies the requirements of 35 U.S.C. § 112, and therefore is allowable. Claims 68, 69 and 71 depend from claim 67 and are allowable for at least that reason.

B. Claims 70, 73, 78 and 79 Satisfy the Requirements of 35 U.S.C. § 112

Claims 70, 73, 78, and 79 recite "a speed at which the document is scrolled being proportional to a magnitude of the haptic feedback a penetration of the cursor into a window on the graphical interface." This limitation is fully supported by the Specification as filed, for example, at paragraph [0051]. As discussed during the interview on September 16, 2003, the rejections under 35 U.S.C. § 112 will be withdrawn. Therefore, claims 70, 73, 78, and 79 are allowable.

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III. Rejections Under 35 U.S.C. 103

Claims 72 and 74-77 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,389,865 to Jacobus (“the Jacobus patent”) in view of U.S. Patent No. 5,790,108 to Salcudean et al. (“the Salcudean patent”).

Independent claim 72 recites “selecting a first type of haptic feedback to be provided to the haptic feedback device using a button on the haptic-feedback device when the button is in a first position [and] selecting a second type of haptic feedback when the button is in the second position.” Independent claim 76 recites “the haptic feedback being a first haptic-feedback when the button is in a first position and being a second haptic-feedback when the button is in a second position.”

The *Jacobus* patent discloses a system for providing feedback to a user by generating “virtual reality force fields.” The manipulator may include buttons 54 for changing various functions of the device, including changing the virtual reality force fields. *See* column 7, lines 1-24.

The *Jacobus* patent fails to disclose or suggest, however, “selecting a first type of haptic feedback to be provided to the haptic feedback device using a button on the haptic-feedback device when the button is in a first position [and] selecting a second type of haptic feedback when the button is in the second position.” as recited in independent claim 72. Further, the *Jacobus* patent fails to disclose or suggest “the haptic feedback being a first haptic-feedback when the button is in a first position and being a second haptic-feedback when the button is in a second position” as recited in independent claim 76. The *Jacobus* patent discloses a *series of buttons* that are used to control the virtual reality force fields at the manipulator. There is no

indication that the buttons 54 disclosed in the *Jacobus* patent are configured as claimed. Embodiments of the invention as recited in claims 72 and 76 have non-obvious advantages over the disclosure in the *Jacobus* patent. One such advantage, for example, is that a button having a different type of haptic feedback for each button position (e.g., a single button having multiple types of haptic feedback) is easier to manipulate than a number of separate buttons having a single type of haptic feedback.

The *Salcudean* patent fails to remedy the aforementioned deficiencies of the *Jacobus* patent.

Therefore, claims 72 and 76 are allowable over the cited references either alone or in combination. Claims 74-75 and 77 depend from claims 72 or 76, and are allowable for at least that reason.

IV. Conclusion

All of the stated grounds of objection and rejection have been properly traversed or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Prompt and favorable consideration of this Amendment is respectfully requested.

Dated: October 6, 2003

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